

Phase 3 Construction Restart COVID-19 Jobsite Safety Plan

for

[insert COMPANY NAME here]

at Jobsite [insert JOBSITE LOCATION here]

GENERAL INSTRUCTIONS

A. Overview

This COVID-19 Plan is an addition to our existing Accident Prevention Plan. It addresses *insert Company Name Here* and worker's responsibilities to keep ourselves and our communities safe from this virus.

B. Procedures

This document contains guidance for safety procedures to be followed and forms to be used. Supervisors are expected to integrate the procedures into the appropriate work activity and workers are expected to apply them on the job. The sample forms are to be used if they apply to the job concerned.

C. Dissemination

A copy of this statement will be issued to all supervisory and management personnel. A copy of the policy statement will be posted on company safety and health bulletin boards and at the following locations:

1. *insert location here*
2. *insert location here*

D. Regulations

A copy of the following documents will be maintained on each jobsite, either in paper or electronic form:

1. Swinomish Indian Tribal Community Resolution 2020-03-042, Declaring a Public Health Emergency [See Appendix A1];
2. Swinomish Indian Tribal Community Resolution 2020-03-073, Issuing Stay Home Order [See Appendix A2];
3. Swinomish Indian Tribal Community Resolution 2020-04-76, Extending and Clarifying the Stay Home Order [See Appendix A3].
4. Swinomish Indian Tribal Community Resolution 2022-03-047, Updating and Modifying COVID-19 Precautionary Orders re: Mask and Indoor Gathering Requirements [See Appendix A5].

COMPANY POLICY LETTER

SAFETY AND HEALTH POLICY FOR ***[insert Company Name Here]***

The purpose of this policy is to increase the already high standard of safety throughout all operations of ***[insert Company Name Here]*** by adding protections related to the COVID-19 outbreak.

This addition to our Accident Prevention Program will continue in effect throughout Phase 3 of the reopening, as defined by the Swinomish Indian Tribal Community's "Stay Home" order (SITC Resolution No. 2020-03-073, and modifications and clarifications thereto). Phase 3 allows all construction, including activities for which social distancing may not be maintained and the start of new construction projects. These activities will be performed in compliance with "Phase 3 Construction Restart COVID 19 Jobsite Requirements" bulletin, posted by the Swinomish Indian Tribal Community Resolution June 8, 2022.

[insert Company Name Here] is committed to fulfilling the Phase 3 Construction Restart COVID-19 Jobsite Requirements. We are also committed to keeping ourselves and our communities healthy.

Signed, ***[insert Company President here]***

RESPONSIBILITIES

A. Management Officials

In this time of crisis and necessary distancing, **[insert Company Name Here]** encourages workers and managers to communicate without face to face contact as often as possible. To that end, all managers must have their cell phones on their person with the ringer turned on while they are at work. Managers should provide their cell phone numbers to their team members and encourage calls whenever a question arises that can be resolved over the phone.

B. Supervisors

In addition to the standard safety supervision, **[insert Company Name Here]** must designate a COVID-19 Supervisor who is responsible for monitoring the health of workers and enforcing this Jobsite Safety Plan.

[If your jobsite is a single-family residential site AND there are 6 or fewer people at the site at one time, your COVID-19 Supervisor does not have to be on site at all times. Otherwise, a COVID-19 Supervisor must always be at the jobsite when work is happening. The COVID-19 Supervisor may be doing normal work on the site as well.]

[insert employee name here] and **[insert employee name here]** are COVID-19 Supervisors for this site.

C. Workers

Observe the items of responsibility established in this document as well as job safety rules which may apply to specific task assignments.

EXPOSURE CONTROL – ILLNESS AT THE WORKSITE

A. Identification of Illness

1. If a worker has symptoms of an acute respiratory illness, such as fever, cough, or shortness of breath, they must leave the worksite and not return until they have been evaluated by a healthcare provider.
2. The COVID-19 Supervisor has the authority to send someone who is exhibiting symptoms of an acute respiratory illness home.
3. Any worker or manager on this jobsite must seek medical care and inform their Supervisor if they have an acute respiratory illness.
4. If a family member has a confirmed case of COVID-19, workers and managers must notify their Supervisor. That worker must stay home. For a full list of recommendations, see the Washington Department of Health Home Isolation Guidance, available at: <https://www.doh.wa.gov/Portals/1/Documents/1600/coronavirus/COVIDexposed.pdf>
5. If a worker or manager tests positive for COVID-19, they should not return to work until they receive a release from a medical practitioner.
6. If a worker believes it is not safe to work, the worker shall be allowed to leave.

B. Documentation and Reporting

1. If a worker at this jobsite has a confirmed case of COVID-19, all workers who may have been exposed will be notified. However, the identity and any other information related to the infected worker will not be disclosed. Workers who receive a notice of exposure must follow the CDC's recommendations for community exposure, available at: <https://www.cdc.gov/coronavirus/2019-ncov/php/public-health-recommendations.html>

MITIGATION – SAFETY BULLETIN BOARD

The following items are required to be posted:

1. CDC Recommendations on Hand Hygiene.
2. Name and contact information for the COVID-19 Supervisor(s).

MITIGATION – WORK CREW SAFETY MEETINGS, COVID ADDITIONS

A. Purpose

To add training on the special COVID-19-related safety measures that are currently necessary. This training will be provided to workers in the language they understand best.

*Note to employers: This means you must present information in workers' native languages.

B. Procedures

In addition to the required trainings, the following guidelines will be followed for COVID-19 training:

- a. Trainings are held at the beginning of each job, on the first day of returning to work after the 'Stay Home' order, and at least weekly thereafter.
- b. Training will also be provided on the first day at work, or back at work, for any worker.
- c. Attendance at these trainings will be taken orally, with only the trainer writing down names of those in attendance to avoid pen-sharing.
- d. Social distancing must be maintained during these trainings, and at all other times on the job site.
- e. The Job Hazard Analysis (JHA) for each type of task performed at the jobsite will be reviewed, discussing appropriate PPE for that task.

C. Scope of Activities

1. Educate workers on how to use PPE.
2. Educate workers on hand washing requirements.
3. Educate workers on social distancing requirements.
4. Accept and evaluate worker suggestions.
5. Review job procedures and recommend improvements.
6. JHA review
7. Monitor the safety program effectiveness.
8. Promote and publicize safety.

D. Documentation

The sample form training guide for workers is available to assist in documenting activities of crew/leader meetings. There is also a Safety Meeting Notice form to print and copy to announce your next safety meeting.

A Job Hazard Analysis (JHA) will be completed to identify moderate and high- risk activities on the jobsite and document the procedures necessary to mitigate the exposure risk. Using the JHA provided, analyze the risk for tasks on your jobsite and document your evaluation. Then, use the appropriate level of PPE for that risk level. *[See Appendix C, Job Hazard Analysis]*

MITIGATION – GENERAL COVID-19 SAFETY RULES FOR WORKERS

Note to employers: if you cannot make available all the PPE mentioned below available, the site must be closed.

1. All workers must maintain a 6-foot distance from others on the work site at all possible times. When 6 feet of separation cannot be maintained, the JHA must be thoroughly reviewed by all workers who must engage in work without 6 feet of distance prior to beginning that work.
2. After reviewing the JHA for their tasks, workers must comply with the PPE recommendations from the JHA.
3. Unrestricted gatherings are permitted outside. Gatherings indoor shall be limited to the number of persons allowed in the applicable room, according to posted signs.
4. *You are required to identify and mitigate areas that are likely to make social distancing difficult, like trailers, hallways or break areas. Site specific application example, “Only 2 people may be in the job trailer at one time.”*
5. Maintain a 6-foot distance, even when receiving or making deliveries.
6. At a minimum, the following policies will be followed regarding wearing a cloth face coverings or masks ***insert Company Name Here*** provides:
 - a. All workers are required to wear a face covering or mask at all times when in the Swinomish Medical Clinic, Swinomish Dental Clinic, and didgWálic buildings, and when in the Swinomish Wellness Program offices; and
 - b. All workers who have tested positive for the COVID-19 virus, who have symptoms of COVID-19, or who have experienced a substantial exposure to someone who has COVID-19 are required to wear a face covering or mask as directed by the Swinomish Public Health Officer when in any indoor public space; and
 - c. Wearing a face covering or mask in any other indoor, public space is optional unless required by the owner and / or operator of the public space or as a result of a COVID-19 test, symptoms, or exposure.
7. Appropriate Eye Protection for all hazards must be worn at all times on the jobsite. *[You are required to provide eye protection for all workers, not just those at risk of debris]*
8. Workers must wash hands regularly, including before and after using the restroom, before and after eating, after sneezing, and after blowing your nose.
9. Workers engaged in cleaning must wear long sleeves and disposable gloves.

10. Workers emptying garbage must wear disposable gloves.
11. All workers must be familiar with the cleaning schedule for their jobsite and comply with its requirements.
12. *[If jobsite is an occupied home]* Workers should maintain a distance of 10 feet from all site residents.
13. Tools must not be shared unless absolutely necessary. If sharing is necessary, disinfect the tool between users.
14. If you are feeling sick or in contact with someone with a confirmed case of COVID-19, GO HOME!
15. If you feel yourself developing a fever, cough, or shortness of breath at any time, tell your Supervisor when symptoms arise.
16. Workers with symptoms of an acute respiratory illness must seek medical care immediately and inform your Supervisor over text or phone call.
17. If a worker or someone in their household is confirmed to have COVID-19, they must inform their supervisor.
18. If a worker goes home sick, their workspace must be cleaned immediately.

SAFETY DISCIPLINARY POLICY

Regardless of the existing safety disciplinary policy, failure of a worker to comply with this COVID Safety Policy will result in the worker being sent home, with or without pay, during the emergency actions.

MITIGATION – COVID-19 SAFETY RULES FOR **[insert Company Name Here]**

1. **[insert Company Name Here]** will provide enough Cloth Face Coverings and appropriate eye protection for all workers.
2. **[insert Company Name Here]** will provide ample soap and handwashing stations with running water. *[When running water is not available, portable washing stations, with soap, are required. Alcohol-based hand sanitizers with greater than 60% ethanol or 70% isopropanol can also be used, but are not a replacement for the water requirement.]*
3. **[insert Company Name Here]** will provide disinfectant and cleaning supplies throughout the worksite.
4. **[insert Company Name Here]** will direct a worker to disinfect communal surfaces frequently.
5. **[insert Company Name Here]** will provide trash cans throughout the site.
6. **[insert Company Name Here]** will create a site-specific cleaning schedule that complies with this Plan. This schedule should address all common-touch surfaces, such as porta-potties, shared tools, storage areas, or office areas.

Regular cleaning of area, frequent cleaning of common-touch surfaces.

- A cleaning schedule must be kept to maintain general housekeeping to prevent buildup of dirt and clutter.

b. The first step in cleaning is to remove buildups of dirt and other materials on surfaces. Water and soap or other cleaning fluids are used with wipes, clothes, brushes or other physical means of removing these materials so that there is no visible build-up, smears, or streaks on the surface. Disinfecting is the second step and is primarily needed for high touch surfaces. Bleach solutions or an EPA approved disinfectant **must be used** to make sure this is effective. (See the list of approved disinfectants at <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>).

Surfaces that are commonly touched with the hands but difficult to clean (fabric, rough surfaces, and so forth) may need to be covered to make sure the environment is hygienic.

Cleaning supplies need to be available to workers to do spot cleaning when necessary.

- Surfaces that are regularly touched by workers must be cleaned regularly to maintain a visibly clean state (no obvious soiling, smearing, or streaks).
 - For surfaces touched by multiple workers, this can be on a frequent schedule, or between workers.
 - For surfaces touched by a single worker, this needs to be done periodically, at least once per shift or when unclean, as a minimum.

EXPOSURE RESPONSE PROCEDURE

1. If a worker or someone in their household is confirmed to have COVID-19, they must inform their supervisor.
2. Upon learning that a worker has COVID-19, **insert Company Name Here** will inform fellow workers of their possible exposure to COVID-19 in the workplace, without breaching the infected worker's confidentiality as required by the Americans with Disabilities Act.
3. Any worker who receives such a notice must follow Public Health Recommendations for Community-Related Exposure.
4. If a worker has a family member sick with COVID-19, that worker must stay home.
5. If a worker reports feeling sick and goes home, the area where that person worked will be immediately disinfected.

POST-EXPOSURE RECOVERY PLAN

1. After a worker with a confirmed case of COVID-19 has left the worksite, all areas where that person worked must be thoroughly disinfected.
2. **insert Company Name Here** will provide ample disinfectant and cleaning supplies for this purpose.
3. **insert Company Name Here** will direct a worker to perform this cleaning while wearing long sleeves, gloves, a cloth face covering, and eye protection.
4. Supervisors will encourage workers to monitor their own wellness and to stay home if any symptoms arise.

APPENDICES

Appendix A1:

Swinomish Indian Tribal Community Resolution 2020-03-042, Declaring a Public Health Emergency;

Appendix A2:

Swinomish Indian Tribal Community Resolution 2020-03-073, Stay Home Order;

Appendix A3:

Swinomish Indian Tribal Community Resolution 2020-04-76, Extending and Clarifying the Stay Home Order;

Appendix A4:

Swinomish Indian Tribal Community Resolution 2020-05-112, Adopting Implementation of Phase I Construction Restart

Appendix A5:

Swinomish Indian Tribal Community Resolution 2022-03-047, Updating and Modifying COVID-19 Precautionary Orders re: Mask and Indoor Gathering Requirements

Appendix B:

Phase 3 Construction COVID-19 Job Site Requirements

Appendix C:

Job Hazards Analysis

Appendix A1:
Swinomish Indian Tribal Community Resolution 2020-03-042,
Declaring a Public Health Emergency

**SWINOMISH INDIAN TRIBAL COMMUNITY
SWINOMISH INDIAN RESERVATION**

RESOLUTION NO. 2020-03- 042

A Resolution Declaring a Public Health Emergency

WHEREAS, the Swinomish Indian Tribal Community (the “Tribe”) is a federally recognized Indian Tribe organized pursuant to Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. § 5123); and

WHEREAS, the Tribe is organized under a constitution and bylaws originally ratified by the Tribe on November 16, 1935, and approved by the Secretary of the Interior on January 27, 1936, and as most recently amended and ratified by the Tribe on May 23, 2017, and approved by the Secretary of the Interior on July 7, 2017; and

WHEREAS, Swinomish Indian Senate (the “Senate”) is the duly enacted governing body of the Swinomish Indian Tribal Community and exercises governmental authority over all lands and waters within the Swinomish Indian Reservation; and

WHEREAS, the Coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death and poses a higher risk to our elders and our community members who have underlying health conditions; and

WHEREAS, in late 2019, a new and significant outbreak of COVID-19 emerged in China; and

WHEREAS, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern; and

WHEREAS, the United States Centers for Disease Control (CDC) currently recommends prevention measures and community preparedness be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue and disposal of the tissue immediately thereafter, washing hands often with soap and water for at least 20 seconds, use of alcohol hand sanitizers with 60%-95% alcohol if soap and water are not readily available and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and

WHEREAS, the CDC currently recommends mitigation measures in communities with COVID-19 cases including staying at home when sick, keeping away from others who are sick and staying at home when a household member is sick with respiratory disease symptoms or if instructed to do so by the Tribal Public Health Officer or a health care provider; and

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WHEREAS, the CDC identifies the potential public health threat posed by COVID-19 both globally and in the United States as “high,” and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and

WHEREAS, both the United States Department of Health and Human Services and Governor Jay Inslee of Washington State have declared a public health emergency for COVID-19; and

WHEREAS, the Washington State Department of Health, as of 2 p.m. on March 3, 2020, indicated there are 18 confirmed cases of COVID-19 and nine deaths resulting from COVID-19 and has now confirmed localized person-to-person spread of COVID-19 in Washington State, significantly increasing the risk of exposure and infection to the members of the Swinomish Indian Tribal Community and the people living and working on the Swinomish Indian Reservation, creating an extreme public health risk that may spread quickly; and

WHEREAS, American Indians and Alaska Natives (AI/AN) are historically disproportionately impacted by communicable disease outbreaks such as in the case of the 2009 H1N1 pandemic in which the CDC Director, Dr. Thomas Frieden, in his December 11, 2009 letter, advised that AI/AN should be considered a priority population; and

WHEREAS, the worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States and the Swinomish Indian Reservation significantly impacts the life and health of our people, as well as the economy of the Swinomish Tribe, and is a public disaster that affects life, health, property and the public peace; and

WHEREAS, the Tribe, in the protection of tribal sovereignty and to avoid the encroachment of unwanted state and local interference, has identified the need for a Tribal Public Health Officer to oversee the response to COVID-19 and to coordinate with local, state, and federal partners according to the sovereign powers of the tribe to respond to a public health emergency; and

WHEREAS, the Tribal Council is aware that a COVID-19 outbreak on the Swinomish Indian Reservation will quickly overwhelm the resources of the Tribe; and

WHEREAS, the Tribe has an approved Comprehensive Emergency Management Plan (“CEMP”) designed to assign disaster responsibilities to tribal personnel in the mitigation of, preparation for, response to, and recovery from a natural and/or man-made disasters; and

WHEREAS, the Tribe has a Health Emergency/Pandemic Flu Plan, approved by Senate on August 7, 2007, that includes pandemic incident operations, responsibilities, operations, and recovery; and

WHEREAS, both the CEMP and Health Emergency/Pandemic Flu Plan have been activated and are being executed; and

WHEREAS, the Senate is aware that mutual aid agreements are an important tool in protecting the safety of communities by supporting relationships and systems to quickly and effectively request and receive assistance from neighboring jurisdictions; and

WHEREAS, thirteen tribes and fourteen local health jurisdictions have signed on to the *Mutual Aid Agreement for Tribes and Local Health Jurisdictions in Washington State* (“*Mutual Aid Agreement*”); and

WHEREAS, it is the intent of the Senate that this Resolution apply to the tribal government and not tribal enterprises; however, tribal employees will work closely and in coordination with tribal enterprises; and

WHEREAS, there are mitigation strategies to limit and prevent exposure to disease, as indicated in the attached Non-Pharmaceutical Interventions; and

WHEREAS, the Senate is aware that every member of the Swinomish Indian Tribal Community plays an important role in preventing the spread of disease and protecting other community members, especially elders and individuals with underlying medical conditions; and

WHEREAS, the Senate is authorized to take this action pursuant to Article VI, Section 1(a), (e), (f), (g), (k), (l), (m), (o), (r) and (s), Section 3, Section 4 and Section 5(c) of the Constitution of the Tribe approved January 27, 1936, as amended and pursuant to the inherent authority of the Swinomish Indian Tribal Community, **NOW THEREFORE**,

BE IT RESOLVED BY THE SWINOMISH INDIAN SENATE that the Swinomish Indian Tribal Community, hereby issues this Public Health Emergency Declaration due to the COVID-19 outbreak in our state and surrounding communities. Tribal departments are directed to utilize tribal resources and to do everything possible to assist our tribal community and tribal employees to respond to and recover from the COVID-19 outbreak; and

BE IT FURTHER RESOLVED, that the Swinomish Tribe requests Washington State and local agencies, Indian Health Service (IHS), the CDC, and the Office of the Assistant Secretary for Preparedness and Response (ASPR), assist the Tribe in addressing threats to the health and safety arising from the COVID-19 outbreak; and

BE IT FURTHER RESOLVED, that the Swinomish Tribe appoints Sarah Wilborn, the Tribe’s Chief Medical Officer, to serve as the Tribal Public Health Officer, and work with the Tribe’s Emergency Health Team (EHT) which shall be comprised of Brian Wilbur, Chairman of the Tribe’s Health, Education and Social Services Committee, Cheryl Rasar, the Director of the Tribe’s Medical Clinic, Quintina Bowen, the Medical Clinic’s Office Manager, James Sande, the Tribe’s Emergency Management Officer and Allan Olson, the Tribe’s General Manager; and

BE IT FURTHER RESOLVED, that the Swinomish Tribe grants authority to the Tribal Public Health Officer, working together with the Tribe’s Emergency Management Team, to (1) take

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all necessary actions to protect the public health including directing personnel and supplies and providing outreach and education to the public; (2) seek technical assistance and advice from local, state, and/or federal partners on emergency response issues including, but not limited to, tribal facility closures, cancellation of large gatherings, isolation and quarantine, and work-from-home directives for tribal employees; (3) coordinate with local, state, and federal partners on reporting of potential and confirmed COVID-19 cases and unusual clusters and epidemiological investigations; (4) use his or her judgment as to the duration of this public health emergency; (5) adopt and implement a communicable disease emergency response plan including the cancellation of group meetings, limitations on travel outside the county and requiring employees to work from home in order to avoid large groups of people and minimize the spread of the virus; (6) work closely and in coordination with tribal enterprises; and (7) work with the Tribe's legal department to develop a communicable disease code; and


BE IT FURTHER RESOLVED, that the Senate hereby approves the attached Non-Pharmaceutical Interventions; and

BE IT FURTHER RESOLVED, that the Senate hereby authorizes the execution of the attached *Mutual Aid Agreement* and the limited waiver of sovereign immunity therein. As provided in the agreement, the Swinomish Indian Tribal Community is not bound to receive or provide mutual aid by execution of this Agreement, but rather, the Agreement provides the terms and conditions for receiving or providing mutual aid in the event the Swinomish Tribe decides to initiate a request or respond to a request for mutual aid; and

BE IT FURTHER RESOLVED, that no responding party nor its officers nor employees providing assistance under the *Mutual Aid Agreement* will be liable for any act or omission while providing or attempting to provide assistance under the *Mutual Aid Agreement* in good faith; good faith does not include willful misconduct, gross negligence, or recklessness; and

BE IT FURTHER RESOLVED, the Senate in coordination with the Tribal Public Health Officer, will distribute ongoing accurate and timely information to the tribal community to assure all community members clearly understand how they can contribute to limiting the spread of disease in our community, through various mechanisms, including social media, posters, and others.

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that Tribal staff are authorized and directed to take all necessary actions for implementation of this resolution as may be needed to carry out the terms of this Resolution.


Steve Edwards, Chairman
Swinomish Indian Senate

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March 9, 2020

CERTIFICATION

As Secretary of the Swinomish Indian Senate, I hereby certify that the foregoing Resolution was approved at a Regular Meeting of the Swinomish Indian Senate held on March 9, 2020, at which time a quorum was present and the resolution was passed by a vote of 7 FOR, 0 AGAINST, and 0 ABSTENTIONS.

Barbara J. James 
~~Sophie Bailey~~, Secretary
Swinomish Indian Senate

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Appendix A2
Swinomish Indian Tribal Community Resolution 2020-03-073,
Stay Home Order

**SWINOMISH INDIAN TRIBAL COMMUNITY
SWINOMISH INDIAN RESERVATION**

RESOLUTION NO. 2020-03- 073

**A Resolution Amending Resolution Nos. 2020-03-42, 2020-03-70 and 2020-03-71
and Declaring a Stay Home Order for
all Swinomish Indian Tribal Community Residents**

WHEREAS, the Swinomish Indian Tribal Community (the “Tribe”) is a federally recognized Indian Tribe organized pursuant to Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. § 5123); and

WHEREAS, the Tribe is organized under a constitution and bylaws originally ratified by the Tribe on November 16, 1935, and approved by the Secretary of the Interior on January 27, 1936, and as most recently amended and ratified by the Tribe on May 23, 2017, and approved by the Secretary of the Interior on July 7, 2017; and

WHEREAS, Swinomish Indian Senate (the “Senate”) is the duly enacted governing body of the Swinomish Indian Tribal Community and exercises governmental authority over all lands and waters within the Swinomish Indian Reservation; and

WHEREAS, the Senate approved Resolution 2020-03-42 on March 9, 2020, declaring a Public Health Emergency in light of the rapidly spreading COVID-19 virus and potential threat to our community members; and

WHEREAS, on March 17, 2020, the Senate amended Resolution 2020-03-42 to close various government and community buildings in an Amended Public Health Emergency Declaration; and

WHEREAS, to date, Washington state public health authorities report 2,221 statewide cases of COVID-19 and 110 related deaths in the State of Washington; and

WHEREAS, in light of the continuing spread of this highly contagious virus, on March 23, 2020, Governor Inslee noted that prior mitigation efforts were “thoughtful and deliberate” but that “more stringent measures are needed”; and

WHEREAS, Governor Inslee issued a state-wide Stay Home – Stay Healthy Order that will remain in effect for two weeks and encouraged all tribes in the state to implement similar orders, noting that tribes have been exceptional partners in the collective efforts to curb the spread of COVID-19; and

WHEREAS, the Senate’s primary concern is for the safety and wellbeing of all its community members, especially our elders and other vulnerable persons within our community,

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as well as residents of the Swinomish Reservation, recognizing that we face a shared and very serious public health concern; and

WHEREAS, the Senate affirms our collective responsibility to protect everyone in our community and on the Reservation by staying home and practicing social distancing at all times; and

WHEREAS, in order to provide clear and consistence direction to all residents of the Swinomish Reservation, this Senate Resolution is intended to recognize, support and minimize conflict with the Washington Stay Home – Stay Healthy Order and related guidance from state authorities and to remain in effect from March 24, 2020 until April 7, 2020, unless extended by the Swinomish Indian Senate; and

WHEREAS, the Senate is authorized to take this action pursuant to Article VI, Section 1(a), (e), (f), (g), (k), (l), (m), (o), (r) and (s), Section 3, Section 4 and Section 5(c) of the Constitution of the Tribe approved January 27, 1936, as amended and pursuant to the inherent authority of the Swinomish Indian Tribal Community, **NOW THEREFORE**,

BE IT RESOLVED BY THE SWINOMISH INDIAN SENATE that **all residents of the Swinomish Reservation shall immediately cease leaving their home or place of residence except: (1) to conduct or participate in essential activities, and/or (2) for employment in essential business services.** This prohibition shall remain in effect until midnight on April 6, 2020, unless extended beyond that date.

BE IT FURTHER RESOLVED, that residents may still leave their home to purchase groceries, get prescriptions, seek medical care, engage in activities essential for the health and safety of family, household members and pets, and participate in outdoor activities such as bike riding, walking, jogging or gardening. Residents may also leave their home to travel to and from employment in essential businesses. **Residents must practice social distancing by staying at least six feet apart from others whenever in public.**

BE IT FURTHER RESOLVED, that all non-essential businesses with in-office personnel functions must close. This mandated closure shall begin on midnight March 25, 2020 and remain until midnight on April 6, 2020, unless extended beyond that date. **Essential businesses that may remain operational are defined as follows:**

- **Health care operations**, including:
 - Swinomish Medical Clinic
 - Swinomish Dental Clinic
 - Didg'wálic Wellness Center (also designated by the State as an essential public facility)
- **Grocery and convenience stores**, including:
 - Swinomish Village Market
 - Swinomish Market at the Casino
 - Swinomish Market at the Links
- **Food supply chains**, including:

- Swinomish Shellfish Company
- Businesses that deliver food and other supplies to grocery and convenience stores
- **Pharmacies and stores that supply medicinal cannabis**, including:
 - Salish Coast Cannabis
- **Security, surveillance, facilities** and other essential personnel necessary to secure and maintain the Swinomish Casino & Lodge and its minimal back-office operations during its closure.
- Any other businesses listed in Washington's Essential Critical Infrastructure Worker publication.


BE IT FURTHER RESOLVED, that restaurants may continue to provide take away and delivery services only. Campgrounds may continue to provide long-term RV housing but must cease recreational rentals and close all recreational facilities on site. Construction projects on critical infrastructure, such as housing or essential public facilities, may continue as long as social distancing is maintained on site. Community members may still exercise treaty fishing and hunting rights, provided that tribal hunters and fishers shall observe social distancing.

BE IT FURTHER RESOLVED, that this Stay Home Order shall be effective on midnight March 25, 2020 and remain in effect until midnight on April 6, 2020, unless extended beyond that date.

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that Tribal staff are authorized and directed to take all necessary actions for implementation of this resolution as may be needed to carry out the terms of this Resolution.


BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that it is essential that this Resolution be followed strictly in order to keep community members and Reservation residents healthy and safe, as together we face a highly contagious disease that can result in serious illness or death.

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that the Senate expects and trusts that all community members and Reservation residents will strictly comply with this Resolution.


 Steve Edwards, Chairman
 Swinomish Indian Senate

CERTIFICATION

As Secretary of the Swinomish Indian Senate, I hereby certify that the foregoing Resolution was approved at a Special Meeting of the Swinomish Indian Senate held on March 24, 2020, at which time a quorum was present and the resolution was passed by a vote of 10 FOR, 0 AGAINST, and 0 ABSTENTIONS.


Barbara James, Secretary
Swinomish Indian Senate

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Appendix A3
Swinomish Indian Tribal Community Resolution 2020-04-76,
Extending and Clarifying the Stay Home Order

**SWINOMISH INDIAN TRIBAL COMMUNITY
SWINOMISH INDIAN RESERVATION**

RESOLUTION NO. 2020-04-76

**A Resolution Amending Resolution No. 2020-03-073
To Extend and Clarify the Tribe's Stay Home Order**

WHEREAS, the Swinomish Indian Tribal Community (the "Tribe") is a federally recognized Indian Tribe organized pursuant to Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. § 5123); and

WHEREAS, the Tribe is organized under a constitution and bylaws originally ratified by the Tribe on November 16, 1935, and approved by the Secretary of the Interior on January 27, 1936, and as most recently amended and ratified by the Tribe on May 23, 2017, and approved by the Secretary of the Interior on July 7, 2017; and

WHEREAS, Swinomish Indian Senate (the "Senate") is the duly enacted governing body of the Swinomish Indian Tribal Community and exercises governmental authority over all lands and waters within the Swinomish Indian Reservation; and

WHEREAS, the Senate approved Resolution 2020-03-42 on March 9, 2020, declaring a Public Health Emergency in light of the rapidly spreading COVID-19 virus and potential threat to our community members; and

WHEREAS, on March 24, 2020, the Senate approved Resolution No. 2020-03-073, containing a Stay Home Order for all Swinomish Indian Tribal Community members and all residents and businesses of the Swinomish Reservation, and providing specific instructions for the closure of in-person office functions at nonessential businesses and the continued operation of essential business activities; and

WHEREAS, on March 23, 2020, Governor Inslee issued a state-wide Stay Home – Stay Healthy Order, and since that date the number of confirmed cases and deaths in Washington has more than doubled, with at least 5,984 cases of COVID-19 and 247 associated deaths in Washington; and models predict that many hospitals in Washington will reach capacity or become overwhelmed with COVID-19 patients within the next few weeks unless the spread of COVID-19 throughout the state is slowed; and

WHEREAS, hospitalizations for COVID-like illnesses have been sharply increasing for the past month, and a large surge in the number of serious COVID-19 infections will compromise the ability of health care systems to deliver necessary services; and

WHEREAS, Governor Inslee has concluded that in order to protect the health and safety of Washingtonians, the stringent restrictions imposed in the Governor's Stay Home-Stay Health Order would remain in effect until May 4, 2020; and

WHEREAS, the Swinomish Senate's primary concern remains the health, safety and wellbeing of all its community members, especially our elders and other vulnerable persons within our community, as well as residents and businesses of the Swinomish Reservation and employees of the Tribe, recognizing that we all face a shared and very serious public health concern; and

WHEREAS, the Senate affirms our collective responsibility to protect everyone in our community and on the Reservation by staying home and practicing social distancing at all times; and

WHEREAS, in order to continue to provide clear and consistent direction to all residents of the Swinomish Reservation, this Senate Resolution is intended to continue to recognize, support and minimize conflict with the Governor's Stay Home – Stay Healthy Orders and related guidance from state authorities while safeguarding important Tribal interests, and will remain in effect until midnight May 4, 2020, unless extended by the Swinomish Indian Senate; and

WHEREAS, the Senate also intends to clarify application of its previous directives in the fields of construction, child dependency, and habitat and natural resources, in order to avoid confusion regarding the intentions and scope of the Resolution No. 2020-03-073 Stay Home Order and of this Resolution; and

WHEREAS, certain construction activities occurring within the Reservation may continue during the Stay Home Order, particularly construction projects on critical infrastructure, such as Swinomish sponsored housing or essential public facilities, construction projects to prevent spoliation and damage, and other emergency projects; and

WHEREAS, children and youth who are found to be dependent by Washington Superior Courts are ordered into the custody of the Washington Department of Children, Youth, and Families ("DCYF"), resulting in the court-supervised placement of children into the care of foster parents, relatives, group homes, and other suitable persons approved by the court, with visitation required by Washington law between the children/youth and their families; and

WHEREAS, the State of Washington has waived and suspended visitation requirements under Washington law that mandate in-person visitation of children/youth in the custody of the DCYF by parents or other family members; and

WHEREAS, there are children and youth ordered by Washington Superior Courts into the custody of DCYF who are currently in family relative placements who reside within the Swinomish Reservation; and

WHEREAS, in order to keep families and children/youth safe during the COVID-19 pandemic it may be necessary to limit face-to-face visits; however, such visits should be at the discretion and direction of the home or facility where the child/youth or family member is residing, and should be consistent with the terms of any visitation order of the Washington Superior Court; and

WHEREAS, Treaty resource and habitat protection, restoration, monitoring and sampling activities within the Tribe's usual and accustomed fishing grounds and stations or open and unclaimed lands are essential to the long-term sustainability of the resources on which the Tribe has depended for sustenance and its cultural and economic life since time immemorial; and

WHEREAS, the Senate has identified certain Tribal government services as essential and will authorize employees working in these critical sectors to travel to and from, and be physically present at, their places of work to perform essential functions of their jobs that cannot be performed remotely; and

WHEREAS, the Senate is authorized to take this action pursuant to Article VI, Section 1(a), (f), (g), (i), (k), (l), (m), (o), (p), (q), and (r), Section 3, Section 5(b) and (c) of the Constitution of the Tribe approved January 27, 1936, as amended and pursuant to the inherent authority of the Swinomish Indian Tribal Community, **NOW THEREFORE**,

BE IT RESOLVED BY THE SWINOMISH INDIAN SENATE that the directives and terms of the Senate's Stay Home Resolution No. 2020-03-073, as modified and clarified herein, shall remain in effect until midnight on May 4, 2020, unless modified by further resolution of the Senate.

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that construction projects on critical infrastructure, such as Swinomish sponsored housing or essential public facilities, may continue as long as social distancing is maintained on site. Construction may occur to prevent spoliation and avoid damage or unsafe conditions (which may include work to exterior of homes, windows, doors, etc. to prevent spoliation or avoid damage), and address emergency repairs at both non-essential businesses and residential structures.

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that caring for children and youth ordered into the custody of DCYF by Washington Superior Courts is considered an essential activity, and such essential activity may continue with visitation at the discretion and direction of the home or facility where the child/youth or family member is residing, so long as it is consistent with the terms of any visitation order of the Washington Superior Court and with appropriate COVID-19 pandemic safety and health precautions in place.

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that Treaty resource and habitat protection, restoration, monitoring and sampling activities within, and necessary associated travel to, from and within, the Tribe's usual and accustomed fishing grounds and stations or open and unclaimed lands are essential activities that may continue as long as they are carried out with appropriate COVID-19 pandemic safety and health precautions in place.

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that Tribal members and Reservation residents may leave their home to travel to and from employment providing governmental services that are identified as essential by their governmental employer.

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that

Tribal employees may travel to and from and be present at Tribal offices to provide essential Tribal governmental services that cannot be provided remotely. **Essential Tribal governmental services that may continue to remain operational, as long as they can be carried out with appropriate COVID-19 pandemic safety and health precautions in place, are as follows:**


- **Health care operations** (including health systems management, billing, and health information)
- **Social services**, including:
 - provision of food, energy, support, and other assistance
 - Family services, including child welfare and adult protective services
- **Housing** (including operation, maintenance, and repair of facilities as directed by the Housing Board)
- **Public Safety** (including Swinomish Police)
- **Fisheries and Game Management** (including resource monitoring, management and administration)
- **Environmental Protection and Policy**, including monitoring and data collection
- **Public Works**, including:
 - Services necessary for the sanitation, safety, maintenance, operation and repair of open government buildings
 - Maintenance and operation of Public Works facilities
- **Communications and Information Technology**, including:
 - Maintenance of communications infrastructure and continued operation of physical and cyber information technology systems
- **Swinomish Utilities**:
 - Maintenance, operation, inspection and repair as directed by the Utility Board
- **Gaming Regulation**:
 - Essential Gaming Regulatory activities necessary to maintain continuity during the Swinomish Casino closure
- **Governance and administration**:
 - Swinomish Indian Senate, including personnel supporting the Senate
 - Swinomish Tribal Court, including prosecution, defense and probation services
 - Accounting, Human Resources, Grants, Planning and Legal services.

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that Tribal

staff are authorized and directed to take all necessary actions for implementation of this resolution as may be needed to carry out the terms of this Resolution.


BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that it is essential that this Resolution be followed strictly in order to keep community members, Reservation residents and Tribal employees healthy and safe, as together we continue to face a highly contagious disease that can result in serious illness or death.

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that the Senate expects and trusts that all community members, Reservation residents and Tribal employees will continue to strictly comply with this Resolution.


Steve Edwards, Chairman
Swinomish Indian Senate

CERTIFICATION

As Secretary of the Swinomish Indian Senate, I hereby certify that the foregoing Resolution was approved at a Special Meeting of the Swinomish Indian Senate held on April 5, 2020, at which time a quorum was present and the resolution was passed by a vote of 10 FOR, 0 AGAINST, and 0 ABSTENTIONS.


Barbara James, Secretary
Swinomish Indian Senate

Appendix A4
Swinomish Indian Tribal Community Resolution 2020-05-112,
Adopting Implementation of Phase I Construction Restart

**SWINOMISH INDIAN TRIBAL COMMUNITY
SWINOMISH INDIAN RESERVATION**

RESOLUTION NO. 2020-05- 112

**A Resolution Amending Senate Resolution Nos. 2020-03-073 and 2020-04-076 and
Authorizing Phase I Construction Restart**

WHEREAS, the Swinomish Indian Tribal Community (the “Tribe”) is a federally recognized Indian Tribe organized pursuant to Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. § 5123); and

WHEREAS, the Tribe is organized under a constitution and bylaws originally ratified by the Tribe on November 16, 1935, and approved by the Secretary of the Interior on January 27, 1936, and as most recently amended and ratified by the Tribe on May 23, 2017, and approved by the Secretary of the Interior on July 7, 2017; and

WHEREAS, Swinomish Indian Senate (the “Senate”) is the duly enacted governing body of the Swinomish Indian Tribal Community and exercises governmental authority over all lands and waters within the Swinomish Indian Reservation; and

WHEREAS, the Senate approved Resolution 2020-03-42 on March 9, 2020, declaring a Public Health Emergency in light of the rapidly spreading COVID-19 virus and potential threat to our community members; and

WHEREAS, on March 24, 2020, the Senate approved Resolution No. 2020-03-073, containing a Stay Home Order for all Swinomish Indian Tribal Community members and all residents and businesses of the Swinomish Reservation, and providing specific instructions for the closure of in-person office functions at nonessential businesses and the continued operation of essential business activities; and

WHEREAS, on April 3, 2020, the Senate approved Resolution No. 2020-04-76 to extend and clarify the Tribe’s Stay Home Order until May 4, 2020; and

WHEREAS, on April 24, 2020 Governor Inslee announced the implementation of Phase I Construction Restart allowing existing construction projects to resume, so long as the construction projects meet certain COVID-19 Jobsite Requirements and has implemented a COVID-10 Jobsite Safety Plan; and

WHEREAS, on April 30, 2020, the Senate authorized the extension of the Swinomish Stay Home Order until May 18, 2020; and

WHEREAS, the Senate recognizes the need to resume construction activities in a safe manner that addresses COVID-19 health and safety concerns; and

WHEREAS, the implementation of COVID-19 Jobsite Requirements, as attached to this Resolution, and the implementation of COVID-19 Jobsite Safety Plan, as attached to this Resolution, would ensure construction activities within the Reservation are resumed in a manner that limits exposure to COVID-19; and

WHEREAS, before restarting construction the construction contractor must ensure all COVID-19 Jobsite Requirements are met and must develop a Phase 1 Jobsite Safety Plan that is maintained at the jobsite and available at the request of the Tribe; and

WHEREAS, the Swinomish Senate's primary concern remains the health, safety and wellbeing of all its community members, especially our elders and other vulnerable persons within our community, as well as residents and businesses of the Swinomish Reservation and employees of the Tribe, recognizing that we all face a shared and very serious public health concern; and

WHEREAS, the Senate recognizes the need to resume construction activities in a safe manner with COVID-19 Jobsite Safety Requirements in place, and should workers at the jobsite fail to maintain social distancing protocols or other COVID-19 Jobsite Requirements, it may be necessary to terminate construction activities; and

WHEREAS, the Senate is authorized to take this action pursuant to Article VI, Section 1 (f), (k), (l), and (q), Section 3, and Section 5(b) and (c) of the Constitution of the Tribe approved January 27, 1936, as amended and pursuant to the inherent authority of the Swinomish Indian Tribal Community, NOW THEREFORE,

BE IT RESOLVED BY THE SWINOMISH INDIAN SENATE that existing construction activities are authorized and allowed to resume effective May 5, 2020, so long as the construction activities are carried out in accordance with COVID-19 Jobsite Requirements and a COVID 19 Jobsite Safety Plan; and

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that, should workers or others at a jobsite fail to maintain required social distancing or fail to otherwise comply with the COVID-19 Jobsite Requirements and the COVID-19 Jobsite Safety Plan protocols, it may be necessary to limit or terminate construction activities until those activities can be carried out safely; and

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that the Phase I Construction Restart COVID-19 Jobsite Requirements and the Phase I Construction Restart COVID-19 Jobsite Safety Plan, as attached to this Resolution, are approved; and

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that Tribal staff are authorized and directed to take all necessary actions for implementation of this resolution as may be needed to carry out the terms of this Resolution; and

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that it is essential that this Resolution be followed strictly in order to keep community members,

Reservation residents, workers on jobsites and others healthy and safe, as together we continue to face a highly contagious disease that can result in serious illness or death; and

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that the Senate expects and trusts that all community members, Reservation residents, workers on jobsites and others will continue to strictly comply with this Resolution.


Steve Edwards, Chairman
Swinomish Indian Senate

CERTIFICATION

As Secretary of the Swinomish Indian Senate, I hereby certify that the foregoing Resolution was approved at a Special Meeting of the Swinomish Indian Senate held on May 5, 2020, at which time a quorum was present and the resolution was passed by a vote of 9 FOR, 0 AGAINST, and 0 ABSTENTIONS.


Barbara James, Secretary
Swinomish Indian Senate

Resolution No. 2020-05- 112
Page 3 of 3
May 5, 2020

Phase 3 Construction Restart COVID-19 Jobsite Requirements

Phase 3: All construction, including new work, is now allowed.

All construction, including those activities for which social distancing may not be maintained and the start of new construction projects, is authorized to resume. Adherence to the health and safety points below will be strictly enforced.

Prior to commencing work all contractors are required to develop for each job site a comprehensive COVID-19 exposure control, mitigation, and recovery plan. The plan must include policies regarding the following control measures: PPE utilization; on-site social distancing; hygiene; sanitation; symptom monitoring; incident reporting; site decontamination procedures; COVID-19 safety training; exposure response procedures; and a post-exposure incident project wide recovery plan. The plan must also include a Job Hazard Analysis (JHA), including a list of engineering controls and proper Personal Protective Equipment (PPE), for all jobsite activities.

A copy of the COVID-19 exposure control, mitigation, and recovery plan must be available on each job site during any construction activities and available for inspection by Swinomish Tribal authorities. Workers must be trained on the safety protocols listed below before the activity begins. Failure to meet posting requirements will result in sanctions, including the job being shut down.

All contractors have a general obligation to keep a safe and healthy worksite in accordance with Swinomish Tribal, and federal law and must comply with the following COVID-19 worksite-specific safety practices

All contractors must specifically ensure operations follow the COVID-19 requirements to protect workers, including:

- Educate workers in the language they understand best about coronavirus and how to prevent transmission and the employer's COVID-19 policies.
- Maintain minimum 6-foot separation between all employees (and customers) in all interactions at all times. When strict physical distancing is not feasible for a specific task, other prevention measures are required, such as use of barriers, minimize staff or customers in narrow or enclosed areas, stagger breaks, and work shift starts.
- Provide personal protective equipment (PPE) such as gloves, goggles, face shields and face masks as appropriate or required to employees for the activity being performed. Cloth facial coverings must be worn by every employee on the following sites and in the following situations: (1) the Swinomish Medical Clinic, (2) Swinomish Dental Clinic, (3) didg'wálich buildings, (4) Swinomish Wellness Program offices, (5) buildings with an owner's or operator's requirement for facial coverings, and (6) when directed by the Swinomish Public Health Officer after the worker has tested positive for the COVID-19 virus, has symptoms of COVID-19, or has experienced substantial exposure to someone who has COVID-19. Cloth facial coverings in any other indoor, public space is optional.
- Ensure frequent and adequate hand washing with adequate maintenance of supplies. Use disposable gloves where safe and applicable to prevent transmission on tools or other items that are shared.
- Establish a housekeeping schedule that includes frequent cleaning and sanitizing with a particular emphasis on commonly touched surfaces.
- Screen employees for signs/symptoms of COVID-19 at start of shift. Make sure sick employees stay home or immediately go home if they feel or appear sick. Cordon off any areas where an employee with

probable or confirmed COVID-19 illness worked, touched surfaces, etc. until the area and equipment is cleaned and sanitized. Follow the [cleaning guidelines set by the CDC](#) to deep clean and sanitize.

A worker may refuse to perform unsafe work, including hazards created by COVID-19. And, it is unlawful for their employer to take adverse action against a worker who has engaged in safety-protected activities under the law if their work refusal meets certain requirements.

COVID-19 Site Supervisor

1. A site-specific COVID-19 Supervisor shall be designated by the contractor at every job site to monitor the health of employees and enforce the COVID-19 job site safety plan. A designated COVID-19 Supervisor must be present at all times during construction activities, except on single-family residential job sites with 6 or fewer people on the site. The name and contact information for the site-specific COVID-19 Supervisor must be clearly displayed on all jobsite COVID-19 required postings.

COVID-19 Safety Training

2. A Safety Stand-Down/toolbox talk/tailgate training must be conducted on all job sites on the first day of returning to work, and weekly thereafter, to explain the protective measures in place for all workers. Social distancing must be maintained at all gatherings. Example available here: https://www.biaaw.com/wp-content/uploads/2020/11/COVID_toolbox_talk_sample.pdf
3. Attendance will be communicated verbally and the trainer will sign in each attendee.

Social Distancing

4. Social distancing of at least 6 feet of separation must be maintained by every person on the worksite at all possible times. In instances where the 6 feet separation cannot be maintained, the Job Hazard Analysis shall be thoroughly reviewed by all workers performing the work prior to commencing those tasks.
5. Unrestricted gatherings are permitted outside. Gatherings indoor shall be limited to the number of persons allowed in the applicable room, according to posted signs.
6. Identify “choke points” and “high-risk areas” on job sites where workers typically congregate and control them so social distancing is always maintained.
7. Minimize interactions when picking up or delivering equipment or materials, ensure minimum 6-foot separation.

Personal Protective Equipment (PPE) – Employer Provided

8. Appropriate eye and face protection for all hazards must be worn at all times by every employee while on the worksite.
9. If appropriate PPE cannot be provided, the work is not authorized to commence, recommence, or the site must be shut down.

Sanitation and Cleanliness

10. Hand-washing stations, with soap and running water, shall be abundantly provided on all job sites for frequent handwashing. When running water is not available, portable washing stations, with soap, are required.
11. Workers should be encouraged to leave their workstations to wash their hands regularly, before and after going to the bathroom, before and after eating and after coughing, sneezing or blowing their nose.

12. Alcohol-based hand sanitizers with greater than 60% ethanol or 70% isopropanol can also be used, but are not a replacement for the water requirement.
13. Post, in areas visible to all workers, required hygienic practices, including not to touch face with unwashed hands or with gloves; washing hands often with soap and water for at least 20 seconds; use hand sanitizer with at least 60% alcohol; cleaning and disinfecting frequently touched objects and surfaces such as workstations, keyboards, telephones, handrails, machines, shared tools, elevator control buttons, and doorknobs; covering the mouth and nose when coughing or sneezing as well as other hygienic recommendations by the U.S. Centers for Disease Control (CDC).
14. Make disinfectants available to workers throughout the worksite and ensure cleaning supplies are frequently replenished.
15. Frequently clean and disinfect high-touch surfaces on job sites and in offices, such as shared tools, machines, vehicles and other equipment, handrails, doorknobs, and portable toilets. If these areas cannot be cleaned and disinfected frequently, the jobsite shall be shut down until such measures can be achieved and maintained.
16. Shared tools and other equipment must be wipe sanitized between users.
17. When the worksite is an occupied home, workers should sanitize work areas upon arrival, throughout the workday and immediately before they leave, and occupants should keep a personal distance of at least 10 feet.
18. If an employee reports feeling sick and goes home, the area where that person worked should be immediately disinfected.

Employee Health/Symptoms

19. Create policies which encourage workers to stay home or leave the worksite when feeling sick or when they have been in close contact with a confirmed positive case. If they develop symptoms of acute respiratory illness, they must seek medical attention and inform their employer.
20. Have employees inform their supervisors if they have a sick family member at home with COVID-19. If an employee has a family member sick with COVID-19, that employee must follow the isolation/quarantine requirements as established by Senate Resolution 2020-03-042 Declaring a Public Health Emergency, Senate Resolution 2020-04-073 Declaring a Stay Home Order, Senate Resolution 2020-04-076 Clarifying the Stay Home Order, and any subsequent Resolutions extending or modifying the Swinomish Stay Home Order.
21. Instruct workers to report to their supervisor if they develop symptoms of COVID-19 (e.g., fever, cough, shortness of breath, fatigue, muscle aches, or new loss of taste or smell). If symptoms develop during a shift, the worker should be immediately sent home. If symptoms develop while the worker is not working, the worker should not return to work until they have been evaluated by a healthcare provider.
22. Failure of employees to comply will result in employees being sent home during the emergency actions. For example, if an employee refuses to wear the appropriate facial covering they would be sent home.
23. If an employee is confirmed to have COVID-19 infection, employers should inform fellow employees of their possible exposure to COVID-19 in the workplace but maintain confidentiality as required by the Americans with Disabilities Act (ADA). The employer should instruct fellow employees about how to proceed based on the CDC [Public Health Recommendations for Community-Related Exposure](#).

Job Site Visitors

24. A daily attendance log of all workers and visitors must be kept and retained for at least four weeks. The log must include the name, phone number, and email address of all workers and visitors.

No jobsite may operate until the contractor can meet and maintain all requirements, including providing materials, schedules and equipment required to comply. Failure to maintain all requirements listed above may result in a Stop Work Order being issued until a jobsite comes into compliance.

These Phase 3 COVID-19 job site safety practices are required as long as the “Stay Home Order” issued by the Swinomish Indian Tribal Community’s Senate Resolution 2020-03-073, and any subsequent Resolutions extending or modifying the Swinomish Stay Home Order.

Workplace safety and health complaints may be submitted to the Swinomish Indian Tribal Community Planning and Community Development Office at permits@swinomish.nsn.us.

Appendix C
Job Hazard Analysis

Job Hazard Analysis (JHA) Phase 3 Construction

Work Site/Project		Risk Task Levels High (H): Work consists of close quarters, such as multiple occupancy confined space, and includes job tasks requiring close together (less than 3-ft. apart) work for more than 10 minutes in an hour multiple times a day. Moderate (M): Work where at least 6-ft. distance is mostly maintained, but with job tasks that require several minutes of 6-ft. distance, broken several times a day.		
Project Location				
Project Number				
Date				
Prepared By				
Reviewed By				
Work Task Description	Risk Task Level H <input type="checkbox"/> M <input type="checkbox"/>	Engineering Controls	Administrative Controls	PPE
Work Task Description	Risk Task Level H <input type="checkbox"/> M <input type="checkbox"/>	Engineering Controls	Administrative Controls	PPE
Work Task Description	Risk Task Level H <input type="checkbox"/> M <input type="checkbox"/>	Engineering Controls	Administrative Controls	PPE